

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: September 11, 2007

## COUNTY

Date Filed: \_\_\_\_\_

Court Date: \_\_\_\_\_

ATTORNEY(S): Pierre G. Armand AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2724

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

**UNITED STATES OF AMERICA,**  
vs.  
**JOSEPH HEAVEN and HEAVENLY FABRICS, INC.,**

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU SS.:

ELHAM SHATARA, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years

of age and resides in New York State. On October 2, 2007 at 4:24 PM

at 346 WARREN DRIVE WOODMERE, NEW YORK 11598, deponent served the within

**Summons In A Civil Case, Complaint, Civil Cover Sheet, Judge's Rules, Electronic Case Filing Instructions Guidelines and Procedures and Magistrate's Rules**

with Index Number 07 CV 7958, and Date Purchased September 11, 2007 endorsed thereon,

on: **JOSEPH HEAVEN**, **Defendant** therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☐ By delivering to and leaving with \_\_\_\_\_ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to \_\_\_\_\_ a person of suitable age and discretion. Said premises is recipient's [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☒ By affixing a true copy of each to the door of said premises, which is recipient's: [ ] actual place of business [X] dwelling house (place of abode) within the state.

#5 MAIL COPY ☒ On October 3, 2007, deponent completed service under the last two sections by depositing a copy of the ABOVE DOCUMENTS to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No. \_\_\_\_\_

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called

thereat on the 19 day of September, 2007 at 6:50 PM

on the 25 day of September, 2007 at 9:10 AM

on the 29 day of September, 2007 at 2:28 PM

on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [ ] Unknown at Address [ ] Evading [ ] Moved left no forwarding [ ] Address does not exist [ ] Other: \_\_\_\_\_

#7 DESCRIPTION ☐ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex \_\_\_\_\_ Color of skin \_\_\_\_\_ Color of hair \_\_\_\_\_ Age \_\_\_\_\_ Height \_\_\_\_\_

(use with #1, 2 or 3) Weight \_\_\_\_\_ Other Features: \_\_\_\_\_

#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARY SRVC ☒ Deponent asked person spoken to whether the defendant was presently in military service of the United States Government or of the State of New York and was informed that defendant was not.

#10 OTHER ☒ MRS. HEAVEN ANSWERED THE DOOR. WHEN SHE LEARNED I HAD LEGAL PAPERS TO SERVE SHE SAID NO ONE IS HOME. SERVED AS LAST KNOWN ADDRESS PER ATTORNEY.

Sworn to before me on this 3 day of October, 2007

BARBARA A. SHURGIN

NOTARY PUBLIC, State of New York  
No. 30-5004737, Qualified in Nassau County  
Commission Expires November 23, 2010

ELHAM SHATARA

Server's Lic # 1059412

Invoice • Work Order # 0747024